

DECISION

27530
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-214016; B-214016.2 **DATE:** February 28, 1984

MATTER OF: American International Rent-A-Car; A Rentals,
Inc. dba American International Rent-A-Car

DIGEST:

1. Agency acted properly in not holding public opening of offers under negotiated procurement because unlike advertised procurements where bids are publicly opened there is no public opening of offers received under a negotiated procurement.
2. Protests that procurement should have been advertised and that agency issued confusing solicitation amendments are untimely when not filed prior to closing date for receipt of proposals.

American International Rent-A-Car and A Rentals, Inc. dba American International Rent-A-Car complain that solicitation No. 10PN-HHS-0266, issued by the General Services Administration (GSA) for rental vehicles, was not publicly opened and that the agency issued confusing amendments.

This procurement was negotiated. Unlike advertised procurements in which bidders' prices are exposed as a result of the public opening of bids, there is no public opening of offers received under a negotiated procurement. See N.V. Philips Gloellampenfabriken, B-207485.3, May 3, 1983, 83-1 CPD 467.

Further, if the protesters are contending that the procurement should have been advertised, that protest is untimely as it was not filed prior to the December 12 closing date for receipt of proposals as required by our Bid Protest Procedures, 4 C.F.R. § 21.2(b)(1) (1983). The protests concerning the amendments, which according to the agency were all issued prior to the initial closing date, are also untimely for the same reason.

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The protests are denied.

for *Milton J. Fowler*
Comptroller General
of the United States